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DECISION ON PETITION
TO WITHDRAW HOLDING OF
ABANDONMENT

In re Application of
Murdoch, et al.
Application No. 09/582,341
Filed: August 22, 2000
For: **TRANSMITTER AND A METHOD
FOR TRANSMITTING DATA**

This is a decision on the communication filed January 23, 2004 which is treated as a Petition to Withdraw Holding of Abandonment pursuant to 37 C.F.R. § 1.181(a). No fee is required.

The petition is **GRANTED**.

The application was abandoned for failure to respond in a timely and effective manner to the non-final Office action mailed January 18, 2001. A Notice of Abandonment was mailed on September 26, 2003.

Petitioner asserts that a proper response was timely filed on July 24, 2001, along with a petition for a three month extension of time. In support of the petition, petitioner has submitted a copy of Applicant's response, including the request for extension of time, along with a copy of a date-stamped post card receipt evidencing receipt of the response within the United States Patent & Trademark Office on July 24, 2001.

Furthermore, a review of the file finds that the original response has recently been located and matched with the file, but has not yet been entered. The response was timely received. Consequently, there is no abandonment in fact.

In view of the above stated reasons, the Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn.

The application file is being forwarded to TC2600's Technical Support Staff for entry amendment and response, including the IDS, and from there will be forwarded to the examiner for action in due course.

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